

mitted, the arguments were heard. The petitioner attorneys set up the plea that a contract between the husband and wife, providing for the division of the custody of the children acted as a bar to young Tillman transferring them to his father. The agreement, which was to run until January 1, 1910, set forth in detail with whom the children were to be left.

The petitioner holds that this prior contract invalidates the deed of transfer, which was made in December, 1909. The respondents rely on the statutory provision for such transfer of custody as young Tillman made.

GLAVIS REPEATS HIS ACCUSATIONS

(Continued From First Page.)

he made an affidavit containing this interview, but denied when questioned by Senator Root, that he regarded it as a reflection on Glavis or that he intended to use it as an attack upon President Taft. Mr. Glavis said he thought the President might be interested in it, and he thought also that the affidavit would help Mr. Garfield. Asked what he had done with the affidavit, he said he left one copy in the Land Office in Seattle and sent the other to the Forestry Bureau.

Gifford Pinchot was present at today's session with a large leather bag filled with papers. It is expected that he will follow Mr. Glavis on the witness stand next Friday or Saturday.

Senator Paynter, of Kentucky, resigned from the committee to-day and did not attend the session. Illness was given as the cause for this action.

The appointment of a successor has been left to Senator Glavis, the majority leader of the upper House of Congress, and he offered the place to more than half a dozen Senators to-day without being able to induce any one of them to accept service.

Supported Dennett.

Mr. Glavis's attention was called to the fact that on Saturday he had testified that Mr. Dennett was anxious to have influential support to be appointed Commissioner of the Land Office. He was asked whose support Dennett had.

"I understand he had Representatives McKinley and McLaughlin, of California, and Representative Kinkaid, of Nebraska," he replied.

"Were any of these claimants under the Cunningham group?"

"No; they were all in the Green group."

The witness said he had learned, also, in a letter from H. H. Schwartz, that Senator Guzman also was supporting Dennett.

McLaughlin Explains.

Washington, D. C., January 31.—Explaining his connection with Alaskan coal claims, as brought out in the Pinchot investigation, Representative McLaughlin, of California, to-day mentioned Governor Gillett and Representative McKinley, of California, as being interested in the proposition with himself and Representative Kinkaid, of Nebraska, and a number of others.

Mr. McLaughlin declared that the proposition was entirely a legal and ethical one. A dozen or more men of prominence were interested in what was known as the Green group. He did not recall the names of all of his associates. Speaking of the Green claims, Mr. McLaughlin said:

"If there has been any violation of law in this matter I am not aware of it. I went into the proposition two or three years ago, at the solicitation of Mr. Green, and have paid out for about \$4,000 in surveying and developing my claim. The land was taken up in the ordinary manner of filing on mineral lands."

"In the beginning I purchased the right of the original entry man, and I do not know anything about the manner in which his filing was made. If there was anything wrong with it it occurred before I went into it."

HUNDRED VICTIMS IN EXPLOSION

(Continued From First Page.)

four were killed occurred in the same property January 23, 1907.

Ready to Unveil Mine.

Cherry, Ill., January 31.—Suppressed excitement prevailed in Cherry to-night among the relatives and friends of the 180 miners who lie dead in the St. Paul mine.

To-morrow it probably will be known definitely whether the bodies can be brought to the surface or whether the mine will have to be kept closed.

All arrangements were completed to-day for the reopening of the shaft early to-morrow.

While inspectors and carpenters were busy with the superstructure, a young Italian woman stood in the snow mute and motionless for two hours this afternoon leaning on the iron rail about the main shaft and gazing tenderly at the cement cap that has practically covered her husband's tomb for two months.

"Many mothers," said Dr. L. D. Howe, "are alarmed for a pestilence will sweep over the village when the putrefying bodies of the men and fifty-four mules are brought to the surface. The mothers want to send their children away from Cherry, but I finally persuaded them to stay. Tons of disinfectants are on hand to prevent infection. The men folks of Cherry are almost as unanimously in favor of destroying the bodies in the mine galleries as are the women against it."

Facts for Weak Women

Nine-tenths of all the sickness of women is due to some derangement or disease of the organs distinctly feminine. Such sickness can be cured—is cured every day by

Dr. Pierce's Favorite Prescription

It Makes Weak Women Strong, Sick Women Well.

It acts directly on the organs affected and is at the same time a general restorative tonic for the whole system. It cures female complaint right in the privacy of home. It makes unnecessary the disagreeable questioning, examinations and local treatment so universally insisted upon by doctors, and so abhorrent to every modest woman.

We shall not particularize here as to the symptoms of those peculiar affections incident to women, but those wanting full information as to the means of cure, or of the value of the medicine, will be glad to receive the Common Sense Medical Adviser—1008 pages, newly revised and up-to-date Edition, sent free on receipt of 21 one-cent stamps to cover cost of mailing only, or, in cloth binding for 31 stamps.

Address Dr. R. V. Pierce, Buffalo, N. Y.

EXPLORER PEARY ORDERED TO DUTY

Congress' Neglect Forces Department to Assign Him to Post.

NO REWARD FOR DISCOVERY

His Services in Exploration Must Go Without Official Recognition.

Washington, January 31.—The Navy Department has ordered Commander Robert E. Peary back to duty. He will arrive in Washington to-morrow and probably will be assigned to a post in his corps before the end of the week.

While no official announcement of the fact has been made, it is learned that the Navy Department, after exhausting every expedient to find a duty for Commander Peary, which would be in keeping with his dignity as discoverer of the North Pole, has abandoned the attempt.

May Select Post.

There are a few important offices, and the department has decided to allow, as far as may be, Commander Peary the privilege of making a selection from these.

During the time it has been casting about for a place in the corps of civil engineers to which to assign Commander Peary, the department has been hoping that Congress might come to the relief of the situation by making the explorer a rear-admiral and tendering him a vote of thanks.

But as Congress, apparently, does not intend to do this, the department finds itself in the position of being without excuse or pretext of continuing Commander Peary's leave from duty.

Going to Washington.

It has wired him to come to Washington to prepare to enter active service, and a reply has been received stating that he will report at the department to-morrow.

There is a peculiar pathos in the situation which finds a man, after twenty-three years of almost constant leave of absence, sent in bringing to his country the glory and distinction toward which centuries of effort have been directed from every quarter of the globe, forced, when success has been attained, to go without an expression of gratitude from the country, and to again enter its service in a position the dignity of which is not in keeping with the prestige of his former achievements.

That the crucial moment has arrived in the strange series of events following the discovery of the North Pole is admitted by all.

One man, in whom the public placed its confidence, and who succeeded in making away, under false pretenses, with \$100,000 or so of its cash, has been eliminated from the situation.

Cowles a Virginian.

Dr. Edward Spencer Cowles is a descendant of an old Virginia family and came from Williamsburg, Va. He is a graduate of William and Mary College, a Richmond medical school and the Harvard medical school. He is a specialist in nervous and mental diseases, and has been connected with the Emory University as medical adviser. He was one of the delegates to the International Tuberculosis Congress in Washington. He came into the limelight here when he eloped with and married Miss Florence Jaquith, of Boston, against the wishes of the bride's father, Dr. J. A. Jaquith, and the groom became acquainted through the Emanuel movement. His bride was a member of the younger Back Bay set, a charming and pretty girl.

It was she who preferred the charges against Postmaster Auld of assault upon Dr. Cowles and conduct unbecomingly an officer.

The marriage was when Dr. Cowles found difficulty in cashing a check at Bridgeport, Conn., where they had eloped. The clergyman, Rev. Mr. Kenyon, who married them, finally refused the check and presented an affidavit of non-resistance to the marriage and the ceremony. The bride's father was angered over the marriage and declared that he would disown his daughter.

Congress Will Investigate.

Washington, D. C., January 31.—President Taft and the leaders of the Republican party in the House are in favor of a thorough and exhaustive investigation of the present high cost of living, and it was determined to-day that a meeting of the Ways and Means Committee that that body should assume the task of making a full inquiry into the matter.

Chairman Payne and Minority Leader Clarke, of Missouri, were designated to draft a suitable resolution regarding the scope of the inquiry and determining the details of the investigation. It is proposed that force be given to the inquiry by making it as non-partisan as possible.

When the matter was brought up in committee to-day the various resolutions now before the Rules Committee, providing for investigations of the cost of living, were considered.

It was suggested that the Ways and Means Committee, because of the recent exhaustiveness of its inquiries, was already in possession of a vast amount of information bearing upon the subject, and that committee was consequently in a better position than any other body to undertake the work.

After much discussion, it was finally determined to leave the drafting of the resolutions to the hands of Messrs. Payne and Clarke.

THE WEATHER

Forecast for Virginia and North Carolina—Fair to-morrow; Wednesday, fair to clear; temperature moderate northward and west winds.

CONDITIONS YESTERDAY.

6 A. M. temperature	28
Humidity	76
Wind, direction	SE
Wind, velocity	9
Weather	Cloudy
Rainfall	0.00
12 noon temperature	40
3 P. M. temperature	45
Maximum temperature up to	5
P. M. temperature	45
Minimum temperature	35
Moan temperature	40
Normal temperature	40
Excess in temperature	5
Deficiency in temperature since	473
March 1	473
Accum. excess in temperature since January 1	116
Deficiency in rainfall since March 1	6.79
Accum. deficiency in rainfall since January 1	6.04

CONDITIONS IN IMPORTANT CITIES (At 8 P. M. Eastern Standard Time).

City	Ther.	W. T.	Weather
Charlotte	32	47	Clear
Jacksonville	32	47	Clear
Baltimore	32	47	Clear
Washington	32	47	Clear
Savannah	32	47	Clear
Tampa	32	47	Clear
Mobile	32	47	Clear
Atlanta	32	47	Clear
New Orleans	32	47	Clear
Pittsburgh	32	47	Clear
Cincinnati	32	47	Clear
Memphis	32	47	Clear
Kansas City	32	47	Clear
St. Louis	32	47	Clear
Detroit	32	47	Clear
Buffalo	32	47	Clear
Chicago	32	47	Clear
Indianapolis	32	47	Clear
Cleveland	32	47	Clear
Philadelphia	32	47	Clear
New York	32	47	Clear
Boston	32	47	Clear
Portland	32	47	Clear
San Francisco	32	47	Clear
Los Angeles	32	47	Clear
Honolulu	32	47	Clear
Manila	32	47	Clear
Yokohama	32	47	Clear
Shanghai	32	47	Clear
Peking	32	47	Clear
Harbin	32	47	Clear
Amoy	32	47	Clear
Canton	32	47	Clear
Hankow	32	47	Clear
Soerabaya	32	47	Clear
Batavia	32	47	Clear
Singapore	32	47	Clear
Calcutta	32	47	Clear
Rangoon	32	47	Clear
Bombay	32	47	Clear
Madras	32	47	Clear
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Ceylon	32	47	Clear
Java	32	47	Clear
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Sumatra	32	47	Clear
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